

Psychology of the false testimonies

Abstract: It is examined the motives of false testimonies, a structure and process of formation.

It is provided recommendations on identifying the motives of false testimony and its elimination during an investigation of crimes.

Keywords: psychology, lies, tactics of interrogation, impact, associative links.

Modern research of the psychologists in studying the of motives lies are a common starting point in identifying the internal motivation, leading to conscious misleading and therefore the data of psychology evaluating of general motives of a lie as a whole, have in an investigative activity a role of a landmark.

Thus, researches in this area have shown that a lie may be a result of not only vile motives. Therefore identifying reasons of “white lie” gives an investigator a good ground to overcome this form of counteraction through appealing to the best qualities of personality (2, p. 16-17).

When person resorting to “white lie”, uncritically perceives persuasive impact of an investigator, then the latter may use a method of joint moral evaluation on the basis of human values. The essence of this method is to convince a counteracting person that from a standpoint of human values, a lie cannot be a means of resolving the problem.

In the opinion of S.T. Gudelman, a special place among the motives of deliberate distortion of reality in reflexive lies has experience of being interrogated about his own moral sufferings. In turn, it may be a result of informing of incriminating facts. In case with a similar kind of reflexive lie, such information is based on a desire not to cause harm to anybody else and not on an oriented basis (4, p. 31-32). In this case, an investigator should seek to a staging of the internal conflict caused by the need to choose. Nevertheless, on opinion of V. Nurkova, it should

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recognize “a conscious decision to take the blame in order to justify some other person” as a special motive of reflective lie (6, p.18). In this case, a reflexive lie is based on the feelings of affection, friendship, love. Appears to be, in this case, an investigator should resort to a concretization of the testimony, to establish contradictions and gaps, that is, to direct his efforts to expose and conviction of the need to tell the truth.

The list tactical methods providing a mnemonic aid is wide enough, nevertheless, currently a psychological science possess with serious contemporary research of human memory, which has to touch the psychological methods to help to the best recalling and reproduction of unremembered.

G.G. Shikhantsev examines an interrogation with the use of association by contiguity, by similarity, by contrast, as well as with the use of visibility; however the methods of disunity and paraphrase are not examined in the framework of this concept (9, p.194). It appears that discrepancies in the approaches are associated with different assessment of amount and the content of each psychological method aimed on actualization of associative relationships.

In the view of M. Berkeley Alan, associations cannot be considered as a purely mechanical process of linkages between the various mental facts. In the associative remembering often have the “creative process” sealed by using mnemonic method (3, p. 25). However, this assertion can be regarded as justified only in respect of arbitrary memorizing, when the subject consciously strives to keep in mind a comprehended fact. Meanwhile, even for an involuntary memorization is typically an emergence of certain associations with the earlier accumulated life experience (assessment of similarity or dissimilarity of the perceived object with the ideas of other similar or opposite in properties objects), as well as simultaneously perceived events, actions.

An investigator should use not only associations by contiguity, similarity and contrast, but also to have more clearly about the formal aspect of emergence in a memory man ties between actual facts. In particular, M.S. Rogovin allocated an external form of associations imprinting in memory of phenomena, events, actions, caused by coincidence in time and space. He also considered internal associations which are characterized by ties arising from a content of representations (7, p.91).

This formal aspect of associative links will allow an investigator in rendering a mnemonic aid to resort to separation of actually existing relationships with those ties that were fixed in an individual human psyche. We note also that a use of this classification of forms of the flowing of associations performs not only the function of a mnemonic aid, but will greatly contribute to avoid the conscientious error.

At using any of the known psychological methods on actualization of the associative links, an investigator may resort to a specific scheme of identifying the established facts, based on a formal aspect of the different organization of associative links.

At rendering a mnemonic aid at first, an investigator should establish the following facts: 1) statistical facts (a presence in the atmosphere of events, about which are given evidences, certain objects, subjects); 2) dynamical facts (presence of changes in conditions of a perceiving event, phenomenon, actions, and establishing the reasons for these changes); 3) subjective and objective conditions of perception and saving of imprinted facts in memory. This scheme should be assessed both from an external form (real-life facts), and from positions of internal organization imprinted in memory (subjective interpretation).

Subjective interpretation imprinted in memory occurs at the level of comparison a perceived with established concepts. In this regard, M.O. Tsereteli notes that according to a theory of multiple representations (in memory of subject stored all the known variants of the concept) a determination of belonging of object to a concept of occurs through the conclusion, based on a comparison of the object to each example of a concept, however, according to the model of representation with help of prototypes such determination occurs through search of similarities of the perceived person with a prototype (8, p. 6-7).

Consequently, the first theory reflects process of remembering through a comparison of perceived with many variants of the concept, and according to the second concept such a comparison occurs with a certain invariant prototype. Currently, there are two opposite theories in psychology, which have only one common approach - remembering occurs through a comparison with the existing notion of a subject. Thus, it is highlighted a huge role of experience in memorization and interpretation.

During actualization of associative links an investigator can resort to identify of existing ideas in the psyche of an interlocutor. Establishment of subjective interpretation of the perceived is possible through this identification of the ideas. Activation of imprinted occurs through a referring of the perceived fact to a certain idea. Subjective sense of concepts easy determine by method of revealing facts of a formation of a personal experience. It is applicable here all methods of research of psychology of an individual, but a personal conversation gives the greatest amount of information to assessment of accumulated experience. A personal experience, which, in essence, is a long-term memory in certain ideas, largely depends on the activity, in which subject is engaged. In this case, advantageous associative line can be often

predetermined by occupational factors. Thus, social and biographical data on occupation, profession and education of an interlocutor can identify those ideas that are linked to professional activities, and based on this to try to establish a tie of perceived with the identified notions. This method can be called an emptive allocation of associative lines that does not mean the use of knowledge only about the profession, occupation and education. It appears that the emptive associative line of ideas can be connected to place of residence, and time of leisure, etc.

In opinion of S.T. Abayev, association on time can be established by an appeal to the facts of professional activity. An investigator can determine a time of occurred event, determining when it took place: 1) before implementation of his professional activities; 2) after work; 3) during implementation of his professional activities. Using the method of similarity, the investigator also has not to lose sight of the “professional ideas”, which may be similar to the determined facts (1, p. 21-23).

Accentuation of emptive associative lines has private character, since it can concern only a particular group of people united by a professional, educational or another corporate criterion. In addition to the associations of a private nature, we can select ideas which are stored in the memory of almost everyone (holidays, anniversaries and birthdays of loved ones, alphabet, number, etc.). This associative line can be characterized as a universal system of ideas.

Scientists of legal psychology devote considerable attention to the stage re-creation, while the mnemonic aid should be based on a complete and comprehensive study of the process of formation and changes of the unknown information. In other words, at rendering of the mnemonic aid an investigator should take into account the conditions of memorization and saving of information, rather than just being concentrated on the stage re-creation. Process of remembering can be arbitrary or non-arbitrary on nature; may be unconscious or refers to the sphere of consciousness. However, in criminalistics very important factor is the evaluation of attitude of the perceived object to an occurred event.

Individual and personal approach to assisting of the mnemonic aid should include an analysis of the method of memorization. In psychological science distinguish involuntary memorization, i.e. consolidation in memory accidentally seen persons, advertisement, heard a song or anything that attracts attention, perceived as an emotionally meaningful. Arbitrary memorization is subject of volitional efforts and it is based on methods of focusing of attention, repetition, comprehension, establishing logical and associative ties (5, p. 97). Therefore, under identifying of conditions of perception and memorization, an investigator should find out in what form (arbitrary or not) occurs imprinting of facts that should be established. He

should establish that facts, which should be established, are included in the scope of activity a subject at the time of remembering. Purposeful activity leads to an arbitrary memorization of facts concerning it. An investigator should find out, what a person was doing at the moment of the perceiving event, and try to establish associative ties arising between established circumstances and activity of a subject.

A.S. Artemyev notes, first of all, draw attention to a perception the actions of people, and it is better remembered the beginning and end of an event (2, p. 26). This common provision should be considered for any process of memorization in an arbitrary and non-arbitrary form, when establishing associative links and their actualization.

Involuntary memorization occurs by a principle of selection of emotionally significant information. Therefore, it is more appropriate through an appeal to emotional memory a clarification of circumstances which involuntarily remained in memory. Clarification of emotional experiences at the moment of remembering can become the basis for recreating all associations. The problem of memorization, saving and recreation of the required information is extremely important in providing assistance for the most complete and comprehensive memories. Individual and personal approach to rendering of the mnemonic aid is specifically intended to intensify memory of a person.

Individual differences memory as on a level of process of memorization, so in the stage of recreating, characterizes the certain types of this cognitive process. In psychology, on modality of saved images is distinguished a verbal-logical and imaginative types of memory of person. At the same time, imaginative memory is classified on the visual, verbal and motional (4, p. 62). These individual differences should be considered by an investigator when rendering of impact in order to actualize of associative ties.

Verbal-logical type of memory is a socially conditioned phenomenon, which is formed in the later stages of life. The childhood period is characterized by the passing of memory on a visual-figurative level. But even the adult does not have in pure form only verbal-logical or visual-figurative memory, which is always represented in some mixture. This circumstance does not exclude the domination of one over the other types of memory. Also and other types of memory (auditory, visual, motional) can dominate.

Thereby, obtaining information from a person with a clearly dominant verbal-logical type of memory with the presence of task of activation memory should be based on an investigator's desire to re-create a logical sequence from the point of cause and effect relationships of the remembered events. One more way to actualize

the remembered event can serve revealing of an illogicality, absurdity and non-standard of specific events.

Providing a mnemonic aid to a person with clearly expressed dominance of shaped type of memory depends on what type of this mental process (visual, auditory, or motional) is the most developed in a particular person. Thus, in obtaining information from a person with a strong dominance of motional memory can be used his pantomimic, gestural and other motor skills. It can be also offered to the person to focus his attention on behavior of people, which he observed in the perception of the facts which are interested an investigation.

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